

REMARKS/ARGUMENTS

The Examiner has required that the present application be restricted to one of the following inventions:

- I. Claims 1-47, drawn to compounds, compositions and methods wherein R¹, R², R³, R⁴, R⁵ and Ar does not contain a heterocyclic group, classified in class/subclass numerous depending on the elected species.
- II. Claims 1-47, drawn to compounds, compositions and methods wherein R¹, R², R³, R⁴, R⁵ and Ar does contain a heterocyclic group, classified in class/subclass numerous depending on the elected species.

For the purpose of this response, applicants have elected the subject matter of the Examiner's Group I for further prosecution. This election is being made with traverse.

Applicants have also been requested to elect a single disclosed species falling within the elected invention. Applicants have elected the compound of Example 127, i.e. 2-(3-Chloro-phenyl)-3-[1-(2,5-dichloro-phenyl)-5-naphthalen-2-yl-1*H*-pyrazol-3-yl]-propionic acid, as the single disclosed species.

Group I is restricted to claims 1-47 which are drawn to compounds, compositions and methods wherein R¹, R², R³, R⁴, R⁵ and Ar do not contain a heterocyclic group. In order to avoid confusion in future correspondence, applicants wish to point out that by definition R³ and R⁴ do not contain a heterocyclic group. Group II, therefore, should be restricted to compounds, compositions and methods wherein R¹, R², R⁵ and Ar contain a heterocyclic group.

In requesting restriction the Examiner has concluded that there is no common core among the claimed compounds and that to search all of the claimed compounds in a single application would present an undue burden on the Examiner.

All of the claimed compounds are pyrazole derivatives and as such contain a pyrazolyl group as their core. R¹, R², R⁵ and Ar are merely substituents on the core pyrazolyl ring. Having established a common core for each of the claimed compounds, it is submitted that a search for the claimed compounds would not present an undue burden for the Examiner since the search would center around the core pyrazole ring.

R⁵ is defined as -COOR⁶, -CONR⁷R⁸, tetrazolyl, triazol-sulfanyl, triazol-sulfonyl and triazole-sulfinyl. If Group I is limited to compounds which do not contain a heterocyclic group, applicants request the Examiner to consider

including the tetrazolyl group in the definition of R⁵. It is submitted that the inclusion of the tetrazolyl group in the definition of R⁵ will not place an undue burden on the Examiner because of its close similarity in structure to the core pyrazolyl group, which is the core group common to all of the claimed compounds. Given the similarity in structure between the core pyrazole ring and the tetrazolyl group it is believed that it would be desirable to retain all such compounds in a single application.

Reconsideration of the Request for Restriction under 35 USC 121 is courteously requested.

Applicants' attorney wishes to thank the Examiner for the courtesies extended to him and to Mr. Lambert during the telephone interview of March 2, 2005.

Respectfully submitted,

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